

EXHIBIT A

**STATE OF SOUTH CAROLINA
COUNTY OF RICHLAND**

**IN THE COURT OF COMMON PLEAS
THE FIFTH JUDICIAL CIRCUIT**

Jodi Pacicca,

Civil Action No.: 2021-CP-_____

Plaintiff,

v.

SUMMONS

**Darius Jackson and Love's Travel Stops
& Country Stores, Inc.,**

(Jury Trial Demanded)

Defendants.

TO: THE ABOVE-NAMED DEFENDANT:

YOU ARE HEREBY SUMMONED and required to answer the Complaint in this action, a copy of which is hereby served upon you, and to serve a copy of your Answer to the said Complaint upon the subscribers at 1717 Marion Street, Columbia, South Carolina 29201, within thirty (30) days after the service hereof, exclusive of the day of such service, and if you fail to answer the Complaint within the time aforesaid, Plaintiff will apply to the Court for the relief demanded in the Complaint and judgment by default will be rendered against you for the relief demanded in the Complaint.

SIGNATURE PAGE FOLLOWS

Respectfully submitted,

s/ Stephen F. Krzyston

J. Eric Cavanaugh, S.C. Bar No. 100044
Joseph O. Thickens, S.C. Bar No. 101398
Stephen F. Krzyston, S.C. Bar No. 100666
Cavanaugh & Thickens, LLC
1717 Marion Street (29201)
Post Office Box 2409
Columbia, SC 29202
Tel: (803) 888-2200
Fax: (803) 888-2219
steve@ctlawsc.com

ATTORNEYS FOR PLAINTIFF

Columbia, South Carolina
August 11, 2021

**STATE OF SOUTH CAROLINA
COUNTY OF RICHLAND**

**IN THE COURT OF COMMON PLEAS
THE FIFTH JUDICIAL CIRCUIT**

Jodi Pacicca,

Civil Action No.: 2021-CP-_____

Plaintiff,

v.

COMPLAINT

**Darius Jackson and Love's Travel Stops
& Country Stores, Inc.,**

(Jury Trial Demanded)

Defendants.

The Plaintiff, Jodi Pacicca, by and through her undersigned counsel, and complaining of the Defendant herein, respectfully alleges as follows:

1. The Plaintiff, Jodi Pacicca (hereinafter "Plaintiff"), at all times relevant to this cause of action, was a citizen and resident of Indian River County, State of Florida.
2. The Defendant, Darius Jackson ("hereinafter "Defendant Jackson") is an individual who at all times relevant to this cause of action, was a citizen and resident of Richland County, State of South Carolina.
3. The Defendant, Love's Travel Stops & Country Stores, Inc., ("hereinafter "Defendant Love's"), is a business corporation organized and existing under the laws of a state other than the State of South Carolina which does business throughout the State of South Carolina including, but not limited to, within the County of Newberry.
4. Venue is proper in Richland County pursuant to §15-7-30 of the South Carolina Code of Laws Amended.
5. The Court has subject matter jurisdiction over this matter and *in personam* jurisdiction over the parties.

FACTS

6. The allegations of the foregoing paragraphs are hereby realleged as if set forth herein verbatim.

7. Love's is a corporation which owns and operates full service travel plazas that provide fuel, refreshments, bathrooms, and attached dining operations.

8. At all times relevant to this action, the Plaintiff was an invitee of Defendant Love's travel station number 396 in Newberry, South Carolina.

9. On or about October 19, 2019, while walking into the travel plaza, Plaintiff slipped and fell on a floor which contained a foreign substance.

10. Upon information and belief, Plaintiff's fall was caused by a combination of grease and/or liquid which remained on the floor after an unreasonable amount of time.

11. Defendants failed to post adequate warnings about the dangerous condition of the floor prior to beginning to clean it.

12. Defendants knew about the dangerous condition on its premises but failed to properly remedy the condition and/or warn the Plaintiff of the dangerous condition of its premises.

13. Defendants had a duty to train its employees and management to identify dangers that could harm persons including the Plaintiff.

14. Defendant Jackson had a duty to complete the tasks trained upon by Defendant Love in preventing harm to persons similarly situated to Plaintiff.

15. The Defendants breached their respective duties owed to the Plaintiff.

16. The Defendants breached their duty in that they were negligent, grossly negligent, careless, reckless, willful and wanton in the following acts or omissions for which the Defendants are liable to the Plaintiff:

- a. In failing to inspect the area of the premises where the Plaintiff was injured;
- b. In failing to use proper equipment that would enable the Defendant to see and take precautions against injuring the Plaintiff;
- c. In creating the dangerous condition that caused injury to the Plaintiff;
- d. In failing to properly maintain or care for the premises;
- e. In failing to warn the Plaintiff of the dangers associated with cleaning and/or waxing the floor;
- f. In failing to notify the Plaintiff of these unsafe conditions;
- g. In failing to adequately discover and correct any dangerous conditions which existed;
- h. In failing to give adequate warnings that a dangerous condition existed;
- i. In failing to properly train or supervise their employees so as to prevent dangerous conditions from existing; and
- j. As well as any other acts or omissions which may become known or evident during the course of discovery.

17. As a direct and proximate cause, the aforesaid negligent, grossly negligent, careless, willful and wanton acts or omissions of the Defendants through their agents, Plaintiff was:

- a. Seriously and painfully injured;
- b. Suffered permanent injury and permanent impairment to her whole person
- c. Was subjected to the administration of drugs;

- d. Has incurred medical, hospital and doctor bills;
- e. Was subjected to mental anguish and nervousness;
- f. Has suffered loss of enjoyment of life;
- g. Has and will continue to require ongoing medical treatment;
- h. Suffered pain and suffering;
- i. Suffered permanent injury;
- j. Suffered psychological injury.
- k. Has incurred past and future lost wages.

18. All or any one of the particulars enumerated above were the direct and proximate cause of the injuries and damages suffered by the Plaintiff.

19. The Plaintiff is informed and believes that she is entitled to a judgment against Defendants for actual damages, a reasonable sum of punitive damages, the costs of prosecution of this action, prejudgment interest, and such other and further relief as the Court may deem just and proper all in an amount to be determined at trial by a jury.

WHEREFORE, Plaintiff prays for judgment against the Defendant for all actual damages, special damages, consequential damages, and punitive damages in an amount to be determined by the jury at the trial of this action and for such other and further relief as this court deems just and proper.

The Plaintiff demands a jury trial.

SIGNATURE PAGE FOLLOWS

Respectfully submitted,

s/ Stephen F. Krzyston

J. Eric Cavanaugh, S.C. Bar No. 100044
Joseph O. Thickens, S.C. Bar No. 101398
Stephen F. Krzyston, S.C. Bar No. 100666
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Fax: (803) 888-2219

ATTORNEYS FOR PLAINTIFF

Columbia, South Carolina
August 11, 2021

STATE OF SOUTH CAROLINA
COUNTY OF RICHLAND

IN THE COURT OF COMMON PLEAS
THE FIFTH JUDICIAL CIRCUIT

Jodi Pacicca,

Civil Action No.: 2021-CP-40-04062

Plaintiff,

v.

AFFIDAVIT OF SERVICE

Darius Jackson and Love's Travel Stops
& Country Stores, Inc.,

Defendants.

PERSONALLY appeared before me, Stephen F. Krzyston, of the law offices of Cavanaugh & Thickens, LLC, Attorneys for Plaintiff, who being duly sworn states that as shown by the Return Receipt attached hereto, Defendant Love's Travel Stops & Country Stores, Inc. was served by mailing copies of the **Summons and Complaint, Plaintiff's First Set of Interrogatories to Defendant Love's Travel Stops & Country Stores, Inc and Plaintiff's First Set of Requests for Production to Defendant Love's Travel Stops & Country Stores, Inc** to c/o CT Corporation System, 2 Office Park Court Suite 103, Columbia, SC 29223, by Certified Mail, Restricted Delivery, Return Receipt Requested, on August 24, 2021, the Return Receipt being delivered on August 27, 2021 as evidence by **Exhibit "A"** attached hereto.

Signature Page to Follow

Respectfully submitted,




J. Eric Cavanaugh, S.C. Bar No. 100044
Joseph O. Thickens, S.C. Bar No. 101398
Stephen F. Krzyston, S.C. Bar No. 100666
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eric@ctlawsc.com
joe@ctlawsc.com
steve@ctlawsc.com

ATTORNEYS FOR PLAINTIFF

Columbia, South Carolina
August 11, 2021

SWORN to before me this

9th day of September 2021


Notary Public of South Carolina

My commission expires: 3/25/2029

Exhibit “A”

Cavanaugh & Thickens

ATTORNEYS AT LAW

J. ERIC CAVANAUGH
JOSEPH O. THICKENS
STEPHEN F. KRZYSTON
NICHOLAS J. SKORZEWSKI
WILLIAM H. YARBOROUGH, JR.
PATRICK D. HICKMAN

August 24, 2021

VIA CERTIFIED MAIL, RETURN RECEIPT

Loves Travel Stops & Country Stores, Inc
c/o CT Corporation System
2 Office Park Court Suite 103
Columbia, SC 29223

RE: Jodi Pacicca v. Darius Jackson and Love's Travel Stops & Country Stores, Inc
Civil Action No.: 2021-CP-40-04062
Our File No.: 19194

To Whom It May Concern:

Enclosed please find the following documents that I herewith serve upon you as registered agent for Loves Travel Stops & Country Stores, Inc:

1. Summons and Complaint

Should you have any questions regarding these documents, please do not hesitate to contact our office.

Regards,

CAVANAUGH & THICKENS, LLC



Stephen F. Krzyston

SFK/as
Enclosures

COLUMBIA: 1717 MARION STREET, COLUMBIA, SC 29201 | T: (803) 888-2200 | F: (803) 888-2219

CHARLESTON: 310 RIVERS AVE, SUITE D, NORTH CHARLESTON, SC 29406 | T: (843) 888-9000

WWW.CTLAWSC.COM

STATE OF SOUTH CAROLINA
COUNTY OF RICHLAND

IN THE COURT OF COMMON PLEAS
THE FIFTH JUDICIAL CIRCUIT

Jodi Pacicca,

Civil Action No.: 2021-CP-_____

Plaintiff,

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(Jury Trial Demanded)

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SIGNATURE PAGE FOLLOWS

ELECTRONICALLY FILED - 2021 Aug 11 6:49 PM - RICHLAND - COMMON PLEAS - CASE#2021CP4004062

Respectfully submitted,

s/ Stephen F. Krzyston

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Columbia, South Carolina
August 11, 2021

**STATE OF SOUTH CAROLINA
COUNTY OF RICHLAND**

**IN THE COURT OF COMMON PLEAS
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Civil Action No.: 2021-CP-_____

Plaintiff,

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COMPLAINT

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& Country Stores, Inc.,**

(Jury Trial Demanded)

Defendants.

The Plaintiff, Jodi Pacicca, by and through her undersigned counsel, and complaining of the Defendant herein, respectfully alleges as follows:

1. The Plaintiff, Jodi Pacicca (hereinafter "Plaintiff"), at all times relevant to this cause of action, was a citizen and resident of Indian River County, State of Florida.
2. The Defendant, Darius Jackson ("hereinafter "Defendant Jackson") is an individual who at all times relevant to this cause of action, was a citizen and resident of Richland County, State of South Carolina.
3. The Defendant, Love's Travel Stops & Country Stores, Inc., ("hereinafter "Defendant Love's"), is a business corporation organized and existing under the laws of a state other than the State of South Carolina which does business throughout the State of South Carolina including, but not limited to, within the County of Newberry.
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- b. Suffered permanent injury and permanent impairment to her whole person
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18. All or any one of the particulars enumerated above were the direct and proximate cause of the injuries and damages suffered by the Plaintiff.

19. The Plaintiff is informed and believes that she is entitled to a judgment against Defendants for actual damages, a reasonable sum of punitive damages, the costs of prosecution of this action, prejudgment interest, and such other and further relief as the Court may deem just and proper all in an amount to be determined at trial by a jury.

WHEREFORE, Plaintiff prays for judgment against the Defendant for all actual damages, special damages, consequential damages, and punitive damages in an amount to be determined by the jury at the trial of this action and for such other and further relief as this court deems just and proper.

The Plaintiff demands a jury trial.

SIGNATURE PAGE FOLLOWS

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Respectfully submitted,

s/ Stephen F. Krzyston

J. Eric Cavanaugh, S.C. Bar No. 100044

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Columbia, SC 29202


Tel: (803) 888-2200

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ATTORNEYS FOR PLAINTIFF

Columbia, South Carolina
August 11, 2021

USPS TRACKING



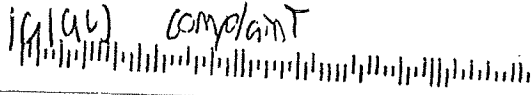
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United States Postal Service

• Sender: Please print your name, address, and ZIP+4® in this box•

Cavanaugh & Thickens, LLC
Post Office Box 2409
Columbia, SC 29202

1/1/16 COMPLAINT



SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY																
<ul style="list-style-type: none"> ■ Complete items 1, 2, and 3. ■ Print your name and address on the reverse so that we can return the card to you. ■ Attach this card to the back of the mailpiece, or on the front if space permits. <p>1. Article Addressed to:</p> <p>LOVES TRAVEL SHOP A COUNTRY STORE C/O CT CORPORATION SYSTEM 2 OFFICE PARK CENTER SUITE 103 COLUMBIA, SC 29223</p>	<p>A. Signature</p> <p>X  <input type="checkbox"/> Agent <input type="checkbox"/> Addressee</p> <p>B. Received by (Printed Name) Date of Delivery</p> <p style="text-align: right; font-size: 1.2em;">8/27/21</p> <p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No</p>																
 <p style="text-align: center;">9590 9402 6587 1028 4472 15</p> <p>2. Article Number (Transfer from service label)</p> <p>7020 1290 0000 4721 3556</p>	<p>3. Service Type</p> <table style="width: 100%;"> <tr> <td><input type="checkbox"/> Adult Signature</td> <td><input type="checkbox"/> Priority Mail Express®</td> </tr> <tr> <td><input type="checkbox"/> Adult Signature Restricted Delivery</td> <td><input type="checkbox"/> Registered Mail™</td> </tr> <tr> <td><input checked="" type="checkbox"/> Certified Mail®</td> <td><input type="checkbox"/> Registered Mail Restricted Delivery</td> </tr> <tr> <td><input type="checkbox"/> Certified Mail Restricted Delivery</td> <td><input checked="" type="checkbox"/> Signature Confirmation™</td> </tr> <tr> <td><input type="checkbox"/> Collect on Delivery</td> <td><input type="checkbox"/> Signature Confirmation Restricted Delivery</td> </tr> <tr> <td><input type="checkbox"/> Collect on Delivery Restricted Delivery</td> <td></td> </tr> <tr> <td><input type="checkbox"/> Insured Mail</td> <td></td> </tr> <tr> <td><input type="checkbox"/> Insured Mail Restricted Delivery (over \$500)</td> <td></td> </tr> </table>	<input type="checkbox"/> Adult Signature	<input type="checkbox"/> Priority Mail Express®	<input type="checkbox"/> Adult Signature Restricted Delivery	<input type="checkbox"/> Registered Mail™	<input checked="" type="checkbox"/> Certified Mail®	<input type="checkbox"/> Registered Mail Restricted Delivery	<input type="checkbox"/> Certified Mail Restricted Delivery	<input checked="" type="checkbox"/> Signature Confirmation™	<input type="checkbox"/> Collect on Delivery	<input type="checkbox"/> Signature Confirmation Restricted Delivery	<input type="checkbox"/> Collect on Delivery Restricted Delivery		<input type="checkbox"/> Insured Mail		<input type="checkbox"/> Insured Mail Restricted Delivery (over \$500)	
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PS Form 3811, July 2020 PSN 7530-02-000-9053

Domestic Return Receipt

**STATE OF SOUTH CAROLINA
COUNTY OF RICHLAND**

Jodi Pacicca,

Plaintiff,

v.

**Darius Jackson and Love's Travel Stops
& Country Stores, Inc.**

Defendants.

**IN THE COURT OF COMMON PLEAS
THE FIFTH JUDICIAL CIRCUIT**

Civil Action No.: 2021-CP-40-04062

**MOTION TO BE RELIEVED AS
COUNSEL**

YOU WILL PLEASE TAKE NOTICE that the undersigned will move before the Presiding Judge of the Richland County Circuit Court for an Order relieving the undersigned and his law firm as counsel of record and allowing them to withdraw as counsel in the captioned matter. While the grounds for this motion may be confidential, this motion is supported by Rule 1.16 of the South Carolina Rules of Professional Conduct.

Respectfully submitted,

s/ Stephen F. Krzyston

Joseph O. Thickens, S.C. Bar No. 101398

J. Eric Cavanaugh, S.C. Bar No. 100044

Stephen F. Krzyston, S.C. Bar No. 100666

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ATTORNEYS FOR PLAINTIFF

Columbia, South Carolina
September 23, 2021